

E-FILED on 10/22/08

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

PETER FORTENBAUGH and BETTY LEE

No. C-08-03898 RMW

Plaintiffs,

v.


ORDER VACATING HEARING DATE

GEOSTAR CORPORATION,
GEOSTAR FINANCIAL SERVICES
CORPORATION,
TONY FERGUSON, and
CLASSICSTAR FINANCIAL SERVICES,

Defendants.

Plaintiff Peter Fortenbaugh's motion for remand presently set for hearing on October 31, 2008 is hereby submitted on the papers without oral argument. *See* Civil L.R. 7-1(b). The hearing date of October 31, 2008 is vacated. If, upon consideration of the matter, the court deems that oral argument is necessary or would be helpful to the court, the matter will be reset for hearing no earlier than December 5, 2008.

DATED: 10/22/08


RONALD M. WHYTE
United States District Judge

1 Notice of this document has been electronically sent to:

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8 Counsel are responsible for distributing copies of this document to co-counsel that have not
9 registered for e-filing under the court's CM/ECF program.

10 **Dated:** 10/22/08

/s/ JAS

11 **Chambers of Judge Whyte**